FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8077 OF 2006

| Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
|---|---|

Mr. A.P. Kulkarni for petitioners.

CORAM: B.H. MARLAPALLE,J.

26/04/2007.

P.C.:

. This petition has been filed by the original defendants in Regular Civil Suit No. 198 of 1996 and the same suit was decreed by the learned V Joint Civil Judge, Junior Division, Solapur. The defendants, therefore, filed Regular Civil Appeal No. 246 of 2004, which came to be dismissed by the learned III Ad-hoc Additional District Judge, Solapur on 12/9/2006.

. The petitioners, therefore, have a statutory remedy of filing a Civil Revision Application under Section 115 of C.P.C. and as held by me in Writ Petition No. 4138 of 2006 vide the order dated 24/8/2006. When

such a statutory remedy is available, a Writ Petition under Article 227 of the Constitution need not be entertained.

. Hence, the Writ Petition is disposed as such with liberty to the petitioners to file a Civil Revision Application and if such an application is filed within a period of four weeks from today, the period of pendency of this petition will be taken into consideration for condonation of delay, if any. The status quo order passed earlier will continue for two weeks. Annexures be returned, if applied for.

(B.H. Marlapalle,J.)